

Chapter 18

CONSULTANT DESIGN CONTRACTS

GENERAL

It is sometimes unclear which utility coordination tasks are to be done by the consultant, and which tasks will be handled by the Region. A utility coordination task list has been developed to help clarify who is responsible for each activity. It is recommended that this task list be used when scoping and negotiating a consultant design contract. See [Figures 18-2](#) and [18-3](#). For Local Program projects, those that are not on the STH system, see the utility coordination task list in [Figure 17-13](#).

The task list can be tailored for each project. It is anticipated that the responsibility for some of the tasks will vary depending on the size and complexity of the project and the region workload.

A cover memo titled “Utility Coordination,” see [Figure 18-1](#), can be used in conjunction with the task list. This memo gives a brief overview of the utility coordination process. Both the cover memo and the task list can be used as exhibits or attachments to the Consultant Design Contract. They should at least be used during the discussions regarding the scope of the contract.

Consultants are required to follow the utility coordination practices and guidance as described in the “WisDOT Guide to Utility Coordination” for all State Highway projects and for local projects that are let through WisDOT. Consultants are encouraged to use the “**WisDOT Guide to Utility Coordination**” as a reference for utility coordination on all locally let highway improvement projects. The concepts of good utility coordination are important to the success of any construction project. In most cases the words “designer” or “construction project manager” may apply to WisDOT staff and/or consultant staff.

UTILITY COORDINATION

Very likely there will be many public and private utilities on your project. While some utilities are visible in the pavement or adjacent to the road, there may be a lot more located beneath the surface. It is imperative that the location of these facilities be accurately determined to aide in defining the areas of conflict with proposed highway improvements. Most utilities are members of Diggers Hotline and will locate their facilities upon request. Some municipal facilities and privately owned utility facilities may not be associated with Diggers Hotline and therefore extra effort may be required to locate the name(s) of the owner(s) to have the facilities marked.

Designers of State Trunk Highway projects are now required to coordinate utility work according to Administrative Rule Trans. 220. This rule sets forth specific guidelines that must be followed by the Highway Agency, the Utility Company and the Highway Contractor. Failure to comply with these provisions could make the responsible party liable for damages cited in litigation.

Several types of documents are important to utility coordination. These include: Title Searches, Release of Rights Documents, Utility Agreements and Utility Special Provisions. The task list (attached) is designed to set forth the responsible party to handle the preparation and coordination required of each of these documents.

When a utility has a land interest (easement) within the area being acquired for a highway, the relocation or adjustment of facilities within this area is considered to be eligible for reimbursement of relocation costs.

The acquisition of utility parcels is often the responsibility of the Region Utility Unit, but may be handled by the local unit of government. When State or Federal Funds are used to pay the cost for utility relocation the Region Utility Unit **must** approve all utility agreements negotiated by consultant or contract forces.

The responsibility for the preparation of the Utility Special Provisions should be addressed in the early stages of the project. If Consultant forces will be responsible for this operation the process should be addressed in detail. Typically one or more utility coordination meetings are required in addition to the Utility's Work Plan to ensure the language in the special provisions properly portrays the situation the contractor will encounter when work starts.

In short, we cannot over emphasize the importance of effective timing in the coordination of a project. The communication between the Designer, Utilities and the Utility Unit is of the utmost importance.

The following TASK LIST will aide you in setting forth the responsibilities to make your project go more smoothly.

WisDOT GUIDE TO UTILITY COORDINATION

STH UTILITY COORDINATION TASK LIST

Project Description – Include Design Project ID, Title, Subtitle, Highway, County

Date

Note: All Utility Coordination shall be done in accordance with the “WisDOT Guide to Utility Coordination” unless otherwise noted.

- ☐ **Region will provide list of known utilities in the project area. Consultant is responsible for verifying this list with a call to Diggers Hotline and inquiries to local units of government.**
- ☐ Send Form DT1077 with cover letter and exhibits to all utility companies with a potential for facilities in the project area. Send copy to the Region Utility Coordinator. {Chapter Trans. 220.04, FDM Procedure 18-10-10}
- ☐ Field locate utility facilities in project area. {FDM Procedure 18-10-15}
 - ☐ Remove manhole covers and determine flow line elevations and pipe sizes.
 - ☐ Expose existing utility facilities and obtain elevations (pothole) at the following locations _____. **Note: This will have to be coordinated with the utility.**
- ☐ Obtain system maps from the utilities. Compare the system maps with the highway plan information to assure that all utility facilities are shown properly. {Chapter Trans. 220.05(1)}
- ☐ Show existing utility facilities on plat, plans, and cross sections. {FDM Procedure 18-10-25}
- ☐ Identify potential utility conflicts and report them to the utility and to the Region Utility Coordinator.
- ☐ Invite utilities to Operational Planning Meeting. {FDM Procedure 18-10-10}
- ☐ Invite utilities to all Public Information Meetings.
- ☐ Hold _____ utility coordination meetings on the project. These meetings will be held at the _____ and _____ stage of the project. {Chapter Trans. 220.05(4), FDM Procedure 18-10-35}
- ☐ Provide a ____ size copy of the draft plat to the Region Utility Coordinator for approval after all existing information, including utilities, has been added.
- ☐ Provide a ____ size copy of the final plat to the Region Utility Coordinator for review prior to plat approval.
- ☐ Draft utility release of rights documents. (Conveyance of Rights in Land, Quitclaim Deed, or Temporary Construction Easement forms).
- ☐ **Region/consultant/local unit of government (select one) will record signed release of rights documents.**
- ☐ Send Form DT1078 with cover letter, plans and related exhibits to the utility company. Send copies of the plan, forms and letters to Region Utility Coordinator. {Chapter Trans. 220.05, FDM Procedures 18-10-30 and 18-10-45}

- ☐ **Region/local unit of government will send notice of reimbursable work.**
- ☐ Review utility work plans; send them to Region with recommendations for corrective actions if required.
- ☐ Send Work Plan Approval and/or Start Work Notices to utility companies.
- ☐ Send copies of all correspondence with utilities to the Region Utility Coordinator.
- ☐ **Region/local unit of government will approve utility work plans after receiving them from the consultant.**
- ☐ Write “utility” section of the special provisions and revise as needed based upon information provided by the utilities and/or Region Utility Coordinator.
- ☐ Prepare the Utility Status Report (Form DT1080) as part of the PS&E submittal package. {FDM Procedure 18-10-40}
- ☐ Provide right-of-way staking for utilities as needed. Right-of-way staking need only be done in the areas requested by the utility, not the entire project. Assume this will be done __ times.
- ☐ **Region/local unit of government will negotiate utility agreements.**
- ☐ Provide ____ size plans and plats; ____ size cross sections, in paper or electronic format (.dgn files) to all utilities. Assume ____ utilities will need copies.
- ☐ Provide revised plan sheets with changes from previous plans indicated, as required. {Chapter Trans. 220.05(12), FDM Procedure 18-10-45}
- ☐ Maintain Trans. 220 Log (Form DT1079), and provide copies to the Region Utility Coordinator as part of the PS&E submittal to the region. {FDM Procedure 18-1-15}
- ☐ Review utility permits for compatibility with highway project design and recommend corrective action if necessary.
- ☐ **Region/local unit of government will approve utility permits.**
- ☐ Send a final (reduced size) plan set and copy of the “Utility” portion of the Special Provisions to each utility with facilities in the project area just prior to or soon after the final PS&E submittal to the Region.
- ☐ Follow-up on status of utility relocations between PS&E submittal and the Preconstruction meeting.
- ☐ Conduct Pre-Bid Utility Meeting for potential bidders to discuss utility relocations and utility coordination during construction.
- ☐ Attend preconstruction meeting to discuss current status of utility relocations.

WisDOT GUIDE TO UTILITY COORDINATION

CUSTOMIZED UTILITY COORDINATION TASK LIST

[This task list is to be filled out by the region utility coordinator, region project manager and, when a project is being assigned to a consultant firm, the design consultant.]

Project Description – Include Design Project ID, Title, Subtitle, Highway, County

Date

Note: All Utility Coordination shall be done in accordance with the “WisDOT Guide to Utility Coordination” unless otherwise noted.

	TASK	PDS	UTIL. UNIT	CONS .	DATE DUE	DATE COMP.
1	Provide Concept Definition Report (CDR) and copies of any subsequent revisions.					
2	Provide list of known utilities in the project area (UIN).					
3	Verify according to Trans. 220.04(1) the list created in #2. <i>FDM Procedure 18-10-10</i>					
4	Participate in project scoping meeting.					
5	Send Form DT1077 project notification with cover letter and exhibits to utilities with a potential for facilities in the project area. <i>Trans. 220.04; FDM Procedure 18-10-10</i>					
6	Invite utilities to Operation Planning Meeting. <i>FDM Procedure 18-10-10</i>					
7	Maintain Trans. 220 Log, Form DT1079. <i>FDM Procedure 18-1-15</i>					
8	Obtain system maps from the utilities. If handled by consultant, provide copies to the region utility coordinator on projects with new right-of-way. <i>FDM Procedure</i> Compare the system maps with the highway plan information to confirm that all utility facilities are shown properly. <i>Trans. 220.05(1) FDM Procedure 18-10-10</i>					
9	Field locate utility facilities in project area. <i>FDM Procedure 18-10-15</i> _____ Remove manhole covers. Determine flow line elevations and pipe sizes. _____ Expose existing utility facilities and obtain elevations (pothole) at the following locations: _____ NOTE: This will have to be coordinated with the facility owners.					
10	Provide 30% plan to region utility coordinator for review prior to 30% Plan Review Meeting.					
11	Show existing utility facilities on plat, plans and cross-sections [i.e., plot the horizontal locations of all buried and above ground utility facilities on mainline and side road cross sections for the region utility coordinator and the utilities].					
12	Invite utilities to all Public Information Meetings.					
13	Monthly: Send copies of all correspondence with utilities, and utility-related documents/logs to the region utility coordinator.					

WisDOT GUIDE TO UTILITY COORDINATION

	TASK	PDS	UTIL. UNIT	CONS .	DATE DUE	DATE COMP.
14	Provide a full size draft plat to the region utility coordinator for review after all existing information, including compensable and non-compensable utility facilities and easements, has been added.					
15	Provide a full size final plat to the region utility coordinator for review, including compensable and non-compensable utilities, prior to plat approval.					
16	Provide a copy of the DSR to region utility coordinator					
17	Provide 60% plan and profile and cross-sections to region utility coordinator for review prior to 60% Plan Review Meeting.					
18	Identify potential utility conflicts. If done by consultant, provide copy to region utility coordinator. <i>FDM Procedure 18-10-20</i>					
19	Hold utility coordination meeting before DT1078 packages are mailed to utility companies.					
20	NO PLAT: Send Form DT1078, Project Plan Transmittal with plans and related exhibits. Include cover letter, conflict list, and Form DT2236, Utility Worksheet. <i>Trans. 220.05; FDM Procedure 18-10-30</i>					
21	PLAT: Send Form DT1078, Project Plan Transmittal with plat, plans and related exhibits. Include cover letter, conflict list, and Form DT2236, Utility Worksheet, utility agreement forms, and release of rights. <i>FDM Procedure 18-10-30 and 18-15-15</i>					
22	Provide to the region utility coordinator ____ sets of ____ size plans, ____ size plats, and ____ size cross-sections which are all complete enough for use by utility companies in evaluating potential conflicts and developing a relocation design. Depending on utility preference, these can be in paper or electronic format (.dgn files). <i>See related memos: Figure 1-7 and Figure 10-9.</i>					
23	Draft & record releases of rights (Conveyance/Quit Claim/Temporary Construction Easement).					
24	Provide revised plan sheets with changes from previous plans indicated, as required. <i>Trans. 220.05(12); FDM Procedure 18-10-45</i>					
25	Provide information of hazardous material sites to utilities and region utility coordinator. With this information clearly state what hazardous material has been found, where it has been located, other potential sites, who will be responsible for the removal, handling of the removal, storage of material that has been removed, & the cost associated with any and all dealing of the hazardous material on this WisDOT highway project.					
26	Provide information of environmental conditions, as it is associated with this project, to utilities and region utility coordinator. This includes wetlands, bedrock, historical and archaeological sites, endangered species, underground storage tanks, etc.					

WisDOT GUIDE TO UTILITY COORDINATION

	TASK	PDS	UTIL. UNIT	CONS .	DATE DUE	DATE COMP.
27	Provide monthly updates to the region utility coordinator regarding progress on any land acquisition necessary, as it is associated with this project. Include with updates the status of any information on site clearance of parcels or razing contracts.					
28	Hold a utility coordination meeting after the 1078 packages have been mailed to involved utility companies, but before work plans are due back. <i>Trans. 220.05(04); FDM Procedure 18-10-35 and 18-20-5</i>					
29	Review utility work plans as they are received. Recommend corrective action if necessary. <i>FDM Procedure 18-10-35</i>					
30	Review utility estimates for reimbursement as they are received. Negotiate compensable utility agreements. (Return receipt mail may be used if necessary) <i>FDM Procedure 18-15-20 and 18-20-1</i>					
31	Send notice to utilities of having received their work plan, cost estimate, release of rights, waiver letter, etc. An email notice is acceptable. (CC: the Region Utility Unit.)					
32	Identify and resolve (or recommend resolution for) any conflicts among the various utility work plans. <i>Trans. 220.05(4)</i>					
33	Send utility cost estimates and agreements to Central Office for approval.					
34	Approve utility work plans. (CC: the Region Utility Unit.) <i>FDM Procedure 18-10-35; Trans. 220.05(7)</i>					
35	Send Work Plan Approval and Start Work Notices to utility companies. <i>Trans. 220.05(7)</i>					
36	Provide 90% plan and profile and cross-sections to region utility coordinator for review prior to 90% Plan Review Meeting.					
37	Review DT1553, utility permits, for compatibility with highway project design. Recommend corrective action if necessary.					
38	Approve DT1553 utility permits.					
39	Conduct field meetings with all utilities.					
40	Write the utility section of the highway contract special provisions, based upon work plans provided by the utility owners and/or the region utility coordinator. Use when appropriate: "These plans show utility facilities existing at the time of the original survey in _____ of _____. Facilities installed after this are addressed in the specials."					
41	Review the utility section of the highway contract special provisions.					
42	Update utility contacts for General Notes sheet on final plan based upon contact information provided by utilities from work plans.					
43	Prepare Form DT1080, Utility Status Report (USR), as part of the PS&E submittal package. <i>FDM Procedure 18-10-40</i>					

WisDOT GUIDE TO UTILITY COORDINATION

	TASK	PDS	UTIL. UNIT	CONS .	DATE DUE	DATE COMP.
44	Provide right-of-way staking for utilities as needed. Right-of-way staking is needed only in the areas where utility facilities will be placed, not the entire project. Estimate this will be needed _____ times.					
45	Send a final, reduced size plan set and copy of the utility portion of the highway contract special provisions to each utility with facilities in the project area just prior to or soon after the final PS&E submittal to the region. <i>FDM Procedure 18-10-45</i>					
46	Hold a utility coordination meeting after all work plans have been approved but before utility relocations begin. <i>Chapter Trans. 220.05(04); FDM Procedure 18-10-35 and 18-10-45</i>					
47	Follow-up on status of utility relocations between PS&E submittal and the preconstruction meeting.					
48	Conduct Pre-Bid Utility Meeting for potential bidders to discuss utility relocations and utility coordination during construction.					
49	Attend the Pre-construction meeting and answer any questions regarding the utility coordination efforts.					
50	Process utility agreement change orders.					
51	Process utility second moves.					
52	Process utility billings.					